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FM AMEMBASSY RANGOON
TO RUEHC/SECSTATE WASHDC IMMEDIATE 9800
INFO RUCNASE/ASEAN MEMBER COLLECTIVE
RUEHGG/UN SECURITY COUNCIL COLLECTIVE
RUEHBY/AMEMBASSY CANBERRA 2395
RUEHNE/AMEMBASSY NEW DELHI 5890
RUEHUL/AMEMBASSY SEOUL 9453
RUEHKO/AMEMBASSY TOKYO 7080
RUEHCHI/AMCONSUL CHIANG MAI 2406
RHEHNSC/NSC WASHDC
RHHMUNA/CDR USPACOM HONOLULU HI
RUCNDT/USMISSION USUN NEW YORK 2824
RUEKJCS/SECDEF WASHDC
RUEKJCS/JOINT STAFF WASHDC

C O N F I D E N T I A L RANGOON 000068

SIPDIS

DEPT FOR EAP/MLS, DRL, AND IO
PACOM FOR FPA

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TAGS: [PGOV](#) [PREL](#) [PHUM](#) [BM](#)

SUBJECT: SUBJECT: BURMA: ACTIVISTS CHARGED FOR ROLES IN
2007 UPRISING

Classified By: Political Officer Marc Shaw for Reasons 1.4 (b) & (d)

¶1. (C) Maung Maung Lay, a leader of Human Rights Defenders and Promoters, and opposition lawyer Aung Thein told us January 22 that seven individuals arrested between August and October 2009 for their roles in the September 2007 monk-led uprising were recently charged. They are: democracy activists Ye Myint, Kyaw Khin, Nyo, and Thanday Htun, and monks U Yaywata, U Withudi, and U Waryama. According to Aung Thein, only two of the defendants have obtained legal counsel -- lawyer Kyaw Hoe, who has represented low-profile activists in the past.

¶2. (C) According to Aung Thein, who spoke with Kyaw Hoe, the seven detainees were charged with violating one or more of five different laws: the Unlawful Associations Act, making it a crime to associate with, or receive money from, an unregistered group; the Immigration Act, making it illegal to enter the country without an official immigrant permit; the Electronics Transactions Act, making it illegal to use electronic media to commit an act deemed detrimental to the security of the state; the Foreign Exchange Regulation Act, which prohibits Burmese citizens from holding foreign currency; and section 505B of the Penal Code, making it a crime to incite unrest or disturb the public tranquility. It is not yet clear which specific charges have been levied against each defendant.

¶3. (C) According to Maung Maung Lay, authorities waited over two years to charge the seven in the hopes they could gain more information on their activities and possible accomplices. According to a January 21 Democratic Voice of Burma press report, which quotes Kyaw Hoe, the most serious charges levied against the group are related to their alleged association with the All Burma Monks Alliance and Generation Wave. Aung Thein said Kyaw Hoe is frustrated that authorities have not permitted him to review the case files. Press reports noted that the relatives of the seven defendants have been barred from visiting them in prison since their arrests.

DINGER